



**TOWN OF WALPOLE**  
**COMMONWEALTH OF MASSACHUSETTS**  
**OFFICE OF COMMUNITY DEVELOPMENT**

**JAMES A. JOHNSON**  
*Town Administrator*

**ASHLEY CLARK**  
*Community Development Director*

**To:** Zoning Board of Appeals

**From:** Ashley Clark  
Community Development Director

**Date:** February 11, 2021

**Subject:** Burns Avenue 40B Staff Report – Second Modification Request

---

Dear Zoning Board of Appeals:

A letter dated 1/26/2021 was submitted to the ZBA outlining proposed changes to a M.G.L. 40B Comprehensive Permit that was issued for 48 Burns Avenue, decision dated 1/13/2020 for 32 units in six (6) buildings. A subsequent letter was submitted dated 2/10/2021 that modified the original request.

The modification request includes modifying conditions of the decision filed with the Town Clerk on 1/13/2020.

The ZBA has 20 days to determine whether or not the proposed changes are substantial or insubstantial (760 CMR 56.05(11)). Should the Board find in the former, the changes are deemed modified to incorporate the Change.

Should the Board find that the changes are substantial, the proposal would follow the same basic timelines as the original permit: a public hearing must be held within 30 days of the ZBA's determination, and the ZBA must file its decision with the city or town clerk within 40 days of the hearing.

Staff recommends that the Board make the determination that the proposed changes are substantial. The project has not changed in a manner that would alleviate the original concerns addressed in the conditions provided for in the original decision filed on 1/13/2020.